

Return Date: April 16th 2020 2:00pm

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
In re: Loyce Tamisi

Case No. 1-20-40388-cec  
Chapter 13

Debtor(s)  
-----X

**NOTICE OF MOTION**

**PLEASE TAKE NOTICE** that upon the annexed application of  
Loyce Tamisi, a hearing will be held before the Hon.  
Carla E. Craig, Bankruptcy Judge, to consider the motion for an Order  
granting relief as follows:

MOTION TO OBJECT PROOF OF CLAIM #1-1 BY SRP 2012-4, LLC

PLEASE TAKE FURTHER NOTICE that objections to the granting of the proposed order must  
be served to the undersigned at least 7 days before the order is to be heard.  
If there are no objections the Court may grant and sign the order without further notice.

CLERK  
U.S. BANKRUPTCY COURT  
EASTERN DISTRICT OF  
NEW YORK

2020 MAR 12 A 10:25

RECEIVED

**Date and time of hearing:** April 16th 2020 2:00pm

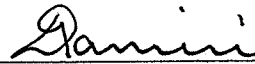
**Location:** U.S. Bankruptcy Court

271-C Cadman Plaza East

Brooklyn, New York 11201-1800

Courtroom # 3529, 3rd Floor

Dated: March 12, 2020

  
Signature

Print name: LOYCE TAMISI

Address: 1350 Pinson St

Far Rockaway, NY 11691

Phone: \_\_\_\_\_

Email: ltamisi@yahoo.com

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
In re:

Case No. 1-20-40388-cec

Loyce Tamisi,

Chapter 13

Debtor.

-----X

**OBJECTION TO PROOF OF CLAIM # 1-1 FILED BY SRP 2012-4, LLC**

**TO THE HON. Carla E. Craig , Bankruptcy Judge**

I Loyce Tamisi, the debtor respectfully make this application in support of my motion for the following relief to disallow the claim #1-1 filed by SRP 2012-4, LLC (SRP) as follows:

1. I, the debtor filed a chapter 13 petition on 01/22/2020.
2. Proof of claim #1-1 is dated 02/03/2020 and filed with the court on the same day by SRP 2012-4, LLC and Includes the following.
  - a. Official form 410 signed by Erica Cato, a litigation Specialist for Sortis Financial, servicer for SRP 2012-4, LLC who lists the claim as secured by a lien on property with the basis of perfection as note and payment history.
  - b. A 2 page copy of a fixed rate note.
  - c. A 2 page limited power of attorney.
  - d. A 2 page name change including a Delaware state certificate of amendment.
3. Schedule D lists Homevest Capital at line 2.2 as the current mortgagee with account number ending in 8184 on the property 1350 Pinson St, Far Rockaway, NY 11691 because it is the only recorded assignee on ACRIS from the original mortgage originator attached as "exhibit E" Homevest Assignment with no other recorded assignment. Additionally, this debt is listed as disputed, contingent and unliquidated due to the various issues connected with the mortgage. Sortis Financial is Listed on Schedule D under Part 2 as others to be notified for a debt you already have for 2.2 and account number 8184.
4. For the claim #1-1 filed by SRP 2012-4 LLC/Sortis Financial on 02/03/20, there is lack of documentation attachments required by Bankruptcy Rule 3001(c)(2)(C). There is no attachment of an assignment of mortgage to SRP 2012-4, LLC to establish the relationship between Homevest Capital and SRP 2012-4, LLC. Therefore, the Proof of Claim filed "does not" constitute prima facie evidence.
5. FBRP 3001(d) requires evidence of Perfection of security Interest. There are no documents or writing filed with SRP 2012-4, LLC's proof of claim demonstrating SRP's interest in the property securing their proof of claim. There is no documentation demonstrating a chain of


title, therefore SRP 2012-4, LLC is not a beneficiary of the note and their proof of claim should be disallowed.

6. If the claim is secured by the debtor's principal residence, FRBP 3001(c)(2)(C) requires the filing of a Mortgage Proof of Claim Attachment (Official Form 410A) which will require a detailed loan transaction history, from the first date of the default on a loan secured by a debtor's principal residence in Chapter 13 proceedings, to be filed with the proof of claim. SRP 2012-4, LLC violates rule 3001(c)(2)(C) as they fail to file the requirement.
7. Courts require an Affidavit from someone with personal knowledge establishing facts supporting standing, or possession of the original note and mortgage to establish standing in a state court foreclosure action and in a motion to lift the automatic stay in bankruptcy court under 11 U.S.C. § 362(d). The proof of claim filed by SRP 2012-4, LLC lacks this documentation and thus is unenforceable against the debtor and property of the debtor under 11 U.S. Code § 502. SRP does not have any standing to file the proof of claim and as such should be disallowed.
8. There is already another creditor SCD Recovery, LLC pursuing a foreclosure complaint with the same note and mortgage against the debtor filed on 7/27/2011 under index #17677/2011 as indicated by a copy of only the first page of the summons and first page of the answer to the summons hereby attached as "exhibit D". There has been no further movement or development on that case since the answer to complaint was filed on 08/18/2011.
9. Consequently, SRP has no rights under the note and mortgage for account number 8184 pursuant to applicable state law. Thus has no standing to file a proof of claim in this case if, in the event of a default by the Debtor under the note and mortgage, SRP would not have standing or be able under state law, to commence a foreclosure proceeding against the property of the debtor.

WHEREFORE, I humbly request the court to

- a. Expunge the proof of claim #1-1 by SRP 2012-4, LLC for the reasons set above.
- b. For any such other relief this court deems just, fair and proper.

Dated: 02/11/2020

  
\_\_\_\_\_  
Loyce Tamisi (debtor)

"Exhibit D"

COPY

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF QUEENS

-----X  
SCD RECOVERY, LLC

**CONSUMER CREDIT  
TRANSACTION**

Plaintiff,

Index No 17677/11

-against-

Date Summons Filed: 7/27/11

LOYCE TAMISI,

**SUMMONS**

Plaintiff designates Queens  
County as the place of trial.

Defendant(s),

The basis of venue is that  
Defendants reside in Queens  
County. The transaction took  
place in Queens County.

-----X  
TO THE ABOVE NAMED DEFENDANTS:

YOU ARE HEREBY SUMMONED to answer the Complaint in this action, and to serve a copy of your Answer, or, if the Complaint is not served with this Summons, to serve a Notice of Appearance upon the Plaintiff's attorneys within twenty (20) days after the service of this Summons, exclusive of the day of service, where service is made by delivery upon you personally within the State or within thirty (30) days after completion of service where service is made in any other manner, and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the Complaint.

**YOU ARE HEREBY PUT ON NOTICE THAT WE ARE ATTEMPTING TO COLLECT A DEBT, AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.**

*The principal portion of the debt which you owe the Plaintiff, SCD RECOVERY, LLC is \$120,000.00 plus interest thereon in the sum of \$74,340.53, as of July 25, 2011, plus late charges in the sum of \$1,190.94, plus non-attorney fees in the sum of \$95.00.*

*The name of the creditor to whom the debt is owed: SCD RECOVERY, LLC.*

*Unless you dispute the validity of the debt, or any portion thereof, within thirty (30) days after receipt hereof, the debt will be assumed to be valid by the herein debt collector.*

*If you notify the herein debt collector in writing within thirty (30) days after your receipt hereof that the debt, or any portion thereof, is disputed, we will obtain verification of*

298  
1092

6600

 COPY

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF QUEENS

-----X  
SCD Recovery, LLC

Plaintiffs,

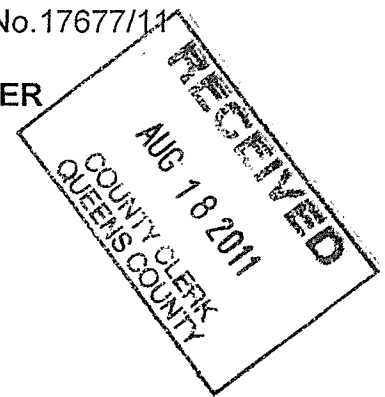
-against-

Loyce Tamisi

Defendants.  
-----X

Index No. 17677/11

ANSWER

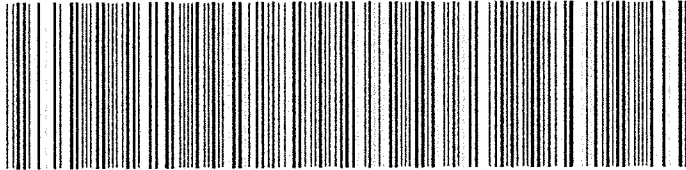




The defendant, by her attorney, the Law Offices of John Mangelli, answering the complaint allege upon information and belief as follows:

1. The defendant neither admits nor denies the allegations contained in paragraph 1.
2. The defendant admits the allegations contained in paragraph 2.
3. The defendant denies the allegations contained in paragraph 3.
4. The defendant denies the allegations contained in paragraph 4.
5. The defendant denies the allegations contained in paragraph 5.
6. The defendant denies the allegations contained in paragraph 6.
7. The defendant denies the allegations contained in paragraph 7.
8. The defendant denies the allegations contained in paragraph 8.

**FIRST AFFIRMATIVE DEFENSE**

## "Exhibit E" Homevest Assignment

<b>NYC DEPARTMENT OF FINANCE OFFICE OF THE CITY REGISTER</b>  This page is part of the instrument. The City Register will rely on the information provided by you on this page for purposes of indexing this instrument. The information on this page will control for indexing purposes in the event of any conflict with the rest of the document.	 <b>2007032701178001001E39CD</b>																																																												
<b>RECORDING AND ENDORSEMENT COVER PAGE</b>																																																													
<div style="display: flex; justify-content: space-between;"> <span><b>Document ID: 2007032701178001</b></span> <span>Document Date: 08-17-2006</span> <span>Preparation Date: 03-27-2007</span> </div> <div style="display: flex; justify-content: space-between;"> <span>Document Type: ASSIGNMENT MORTGAGE</span> <span>Document Page Count: 1</span> </div> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <b>PRESENTER:</b>            T.D. SERVICE COMPANY            1820 E. FIRST ST., SUITE 300            SANTA ANA, CA 92705            714-480-5658         </div> <div style="width: 45%;"> <b>RETURN TO:</b>            T.D. SERVICE COMPANY            1820 E. FIRST ST., SUITE 300            SANTA ANA, CA 92705            714-480-5658         </div> </div>																																																													
<table style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="4" style="text-align: center; border-bottom: 1px solid black;">PROPERTY DATA</th> </tr> <tr> <th style="text-align: left; width: 20%;">Borough</th> <th style="text-align: left; width: 20%;">Block Lot</th> <th style="text-align: left; width: 20%;">Unit</th> <th style="text-align: left; width: 40%;">Address</th> </tr> <tr> <td>QUTLNS</td> <td>15659 6 Entire Lot</td> <td></td> <td>13-50 PINSON STREET</td> </tr> <tr> <td colspan="4">Property Type: DWELLING ONLY 2 FAMILY</td> </tr> </table>		PROPERTY DATA				Borough	Block Lot	Unit	Address	QUTLNS	15659 6 Entire Lot		13-50 PINSON STREET	Property Type: DWELLING ONLY 2 FAMILY																																															
PROPERTY DATA																																																													
Borough	Block Lot	Unit	Address																																																										
QUTLNS	15659 6 Entire Lot		13-50 PINSON STREET																																																										
Property Type: DWELLING ONLY 2 FAMILY																																																													
<b>CROSS REFERENCE DATA</b>																																																													
<b>CREN:</b> 2006000540787																																																													
<table style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="2" style="text-align: center; border-bottom: 1px solid black;">PARTIES</th> </tr> <tr> <td style="width: 50%; vertical-align: top;"> <b>ASSIGNOR/OLD LENDER:</b>            ARGENT MORTGAGE COMPANY, LLC            3 PARK PLAZA, 16TH FLOOR            IRVINE, CA 92614         </td> <td style="width: 50%; vertical-align: top;"> <b>ASSIGNEE/NEW LENDER:</b>            HOMEVEST CAPITAL, LLC            6701 CARMEL ROAD, SUITE 110            CHARLOTTE, NC 28226         </td> </tr> </table>		PARTIES		<b>ASSIGNOR/OLD LENDER:</b> ARGENT MORTGAGE COMPANY, LLC 3 PARK PLAZA, 16TH FLOOR IRVINE, CA 92614	<b>ASSIGNEE/NEW LENDER:</b> HOMEVEST CAPITAL, LLC 6701 CARMEL ROAD, SUITE 110 CHARLOTTE, NC 28226																																																								
PARTIES																																																													
<b>ASSIGNOR/OLD LENDER:</b> ARGENT MORTGAGE COMPANY, LLC 3 PARK PLAZA, 16TH FLOOR IRVINE, CA 92614	<b>ASSIGNEE/NEW LENDER:</b> HOMEVEST CAPITAL, LLC 6701 CARMEL ROAD, SUITE 110 CHARLOTTE, NC 28226																																																												
<table style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="4" style="text-align: center; border-bottom: 1px solid black;">FEES AND TAXES</th> </tr> <tr> <td style="width: 35%;"><b>Mortgage</b></td> <td style="width: 10%;"></td> <td style="width: 20%;"><b>Filing Fee:</b></td> <td style="width: 35%;"></td> </tr> <tr> <td>Mortgage Amount:</td> <td>\$</td> <td>0.00</td> <td>\$ 0.00</td> </tr> <tr> <td>Taxable Mortgage Amount:</td> <td>\$</td> <td>0.00</td> <td>NYC Real Property Transfer Tax:</td> </tr> <tr> <td>Exemption:</td> <td></td> <td></td> <td>\$ 0.00</td> </tr> <tr> <td><b>TAXES:</b> County (Basic):</td> <td>\$</td> <td>0.00</td> <td>NYS Real Estate Transfer Tax:</td> </tr> <tr> <td>City (Additional):</td> <td>\$</td> <td>0.00</td> <td>\$ 0.00</td> </tr> <tr> <td>Spec (Additional):</td> <td>\$</td> <td>0.00</td> <td></td> </tr> <tr> <td>TASE:</td> <td>\$</td> <td>0.00</td> <td></td> </tr> <tr> <td>MIA:</td> <td>\$</td> <td>0.00</td> <td></td> </tr> <tr> <td>NYCTA:</td> <td>\$</td> <td>0.00</td> <td></td> </tr> <tr> <td>Additional MRT:</td> <td>\$</td> <td>0.00</td> <td></td> </tr> <tr> <td><b>TOTAL:</b></td> <td>\$</td> <td>0.00</td> <td></td> </tr> <tr> <td>Recording Fee:</td> <td>\$</td> <td>12.00</td> <td></td> </tr> <tr> <td>Affidavit Fee:</td> <td>\$</td> <td>0.00</td> <td></td> </tr> </table>		FEES AND TAXES				<b>Mortgage</b>		<b>Filing Fee:</b>		Mortgage Amount:	\$	0.00	\$ 0.00	Taxable Mortgage Amount:	\$	0.00	NYC Real Property Transfer Tax:	Exemption:			\$ 0.00	<b>TAXES:</b> County (Basic):	\$	0.00	NYS Real Estate Transfer Tax:	City (Additional):	\$	0.00	\$ 0.00	Spec (Additional):	\$	0.00		TASE:	\$	0.00		MIA:	\$	0.00		NYCTA:	\$	0.00		Additional MRT:	\$	0.00		<b>TOTAL:</b>	\$	0.00		Recording Fee:	\$	12.00		Affidavit Fee:	\$	0.00	
FEES AND TAXES																																																													
<b>Mortgage</b>		<b>Filing Fee:</b>																																																											
Mortgage Amount:	\$	0.00	\$ 0.00																																																										
Taxable Mortgage Amount:	\$	0.00	NYC Real Property Transfer Tax:																																																										
Exemption:			\$ 0.00																																																										
<b>TAXES:</b> County (Basic):	\$	0.00	NYS Real Estate Transfer Tax:																																																										
City (Additional):	\$	0.00	\$ 0.00																																																										
Spec (Additional):	\$	0.00																																																											
TASE:	\$	0.00																																																											
MIA:	\$	0.00																																																											
NYCTA:	\$	0.00																																																											
Additional MRT:	\$	0.00																																																											
<b>TOTAL:</b>	\$	0.00																																																											
Recording Fee:	\$	12.00																																																											
Affidavit Fee:	\$	0.00																																																											
<div style="display: flex; align-items: center; justify-content: center;">  <div style="text-align: left;"> <b>RECORDED OR FILED IN THE OFFICE OF THE CITY REGISTER OF THE CITY OF NEW YORK</b>            Recorded/Filed: 04-04-2007 11:41            City Register File No./CRI No:  <b>2007000172148</b> </div> </div> <div style="text-align: right; margin-top: 10px;">   <b>City Register Official Signature</b> </div>																																																													

When Recorded Mail to:  
T. D. Service Company  
1830 E. First St., Suite 210  
Santa Ana, CA 92705

**SEND ANY NOTICES TO ASSIGNEE**

**ASSIGNMENT OF MORTGAGE**

KNOW ALL MEN BY THESE PRESENT That Argent Mortgage Company LLC, Mortgagee under that certain MORTGAGE executed by  
LOYCE TAMISI As Mortgagor(s)

CRFN 2006000540787

On the 14th day of August, 2006, and recorded on the  
day of \_\_\_\_\_, in Book \_\_\_\_\_ of public records at Page \_\_\_\_\_  
under filing No. \_\_\_\_\_ of the Records of QUEENS County, State of New York  
given to secure the payment of a promissory note for the sum of  
**one hundred twenty thousand and 00/100 Dollars (\$ 120,000.00 )**  
and interest, has endorsed said note and does hereby ASSIGN AND TRANSFER to

**Homevest Capital, LLC - 6701 Camel Road, Suite 110, Charlotte, NC 28226**

All right, title and interest in said note and all rights accrued under said Mortgage and all indebtedness thereby. The said Mortgage described herein affects the premises commonly known and designated as:

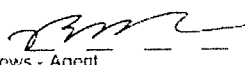
~~EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.~~

Section  
Block 15654  
Lot 6

This assignment is not subject to the requirements of Section 275 of the Real Property Law because it is an assignment within the secondary mortgage market.

IN WITNESS WHEREOF said Argent Mortgage Company, LLC  
Has caused this instrument to be signed by its Agents and attested by its corporate seal this 08/17/2006.

Argent Mortgage Company, LLC

By:   
Rayon Matthews - Agent  
ATTEST:

(Corporate Seal)

State of New York  
County of Westchester

SEAL

On 08/17/2006 before me, Daniel Brito  
personally appeared Rayon Matthews

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which is the person(s) acted, executed the Assignment.

WITNESS MY HAND AND NOTARIAL SEAL

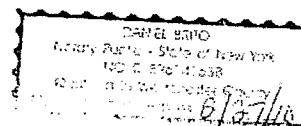
Daniel Brito

SEAL

Prepared By:



UMLIC #597



2006-08-17 10:29:08

30712980. Tamisi, Loyce

**Fill in this information to identify the case:**

Debtor 1	Loyce Tamisi
Debtor 2	
(Spouse, if filing)	
United States Bankruptcy Court	Eastern District of New York
Case number:	20-40388

FILED  
U.S. Bankruptcy Court  
Eastern District of New York  
2/3/2020  
Robert A. Gavin, Clerk

**Official Form 410  
Proof of Claim**

04/19

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. Do not send original documents; they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.

**Part 1: Identify the Claim**

<b>1. Who is the current creditor?</b>	SRP 2012-4, LLC	
	Name of the current creditor (the person or entity to be paid for this claim)	
	Other names the creditor used with the debtor	
<b>2. Has this claim been acquired from someone else?</b>	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. From whom?	
<b>3. Where should notices and payments to the creditor be sent?</b>	<b>Where should notices to the creditor be sent?</b> SRP 2012-4, LLC Name SRP 2012-4, LLC c/o Sortis Financial, Inc 5445 Legacy Drive, Suite 410 Plano, TX 75021 Contact phone 8663443314 Contact email recovery.support@sortis.com Uniform claim identifier for electronic payments in chapter 13 (if you use one):	<b>Where should payments to the creditor be sent? (if different)</b> Name Contact phone Contact email
<b>4. Does this claim amend one already filed?</b>	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Claim number on court claims registry (if known) Filed on MM/DD/YYYY	
<b>5. Do you know if anyone else has filed a proof of claim for this claim?</b>	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Who made the earlier filing?	



**Part 2: Give Information About the Claim as of the Date the Case Was Filed**

<b>6. Do you have any number you use to identify the debtor?</b>	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: <u>8184</u>										
<b>7. How much is the claim?</b>	\$ <u>119916.82</u> <b>Does this amount include interest or other charges?</b> <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).										
<b>8. What is the basis of the claim?</b>	Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card. Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c). Limit disclosing information that is entitled to privacy, such as healthcare information.  <u>Money Loaned</u>										
<b>9. Is all or part of the claim secured?</b>	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes. The claim is secured by a lien on property. <b>Nature of property:</b> <input type="checkbox"/> Real estate. If the claim is secured by the debtor's principal residence, file a <i>Mortgage Proof of Claim Attachment</i> (Official Form 410-A) with this <i>Proof of Claim</i> . <input type="checkbox"/> Motor vehicle <input checked="" type="checkbox"/> Other. Describe: <u>1350 PINSON ST</u>  <b>Basis for perfection:</b> <u>Note, Payment History</u>  Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)  <table style="width: 100%;"> <tr> <td style="width: 50%;"><b>Value of property:</b></td> <td style="width: 50%;">\$ <u>547322.00</u></td> </tr> <tr> <td><b>Amount of the claim that is secured:</b></td> <td>\$ <u>119916.82</u></td> </tr> <tr> <td><b>Amount of the claim that is unsecured:</b></td> <td>\$ <u>0.00</u> (The sum of the secured and unsecured amounts should match the amount in line 7.)</td> </tr> </table> <table style="width: 100%;"> <tr> <td style="width: 60%;"><b>Amount necessary to cure any default as of the date of the petition:</b></td> <td style="width: 40%;">\$ <u>119916.82</u></td> </tr> </table> <table style="width: 100%;"> <tr> <td style="width: 60%;"><b>Annual Interest Rate</b> (when case was filed)</td> <td style="width: 40%;"> <u>0.00</u> %  <input checked="" type="checkbox"/> Fixed  <input type="checkbox"/> Variable                 </td> </tr> </table>	<b>Value of property:</b>	\$ <u>547322.00</u>	<b>Amount of the claim that is secured:</b>	\$ <u>119916.82</u>	<b>Amount of the claim that is unsecured:</b>	\$ <u>0.00</u> (The sum of the secured and unsecured amounts should match the amount in line 7.)	<b>Amount necessary to cure any default as of the date of the petition:</b>	\$ <u>119916.82</u>	<b>Annual Interest Rate</b> (when case was filed)	<u>0.00</u> % <input checked="" type="checkbox"/> Fixed <input type="checkbox"/> Variable
<b>Value of property:</b>	\$ <u>547322.00</u>										
<b>Amount of the claim that is secured:</b>	\$ <u>119916.82</u>										
<b>Amount of the claim that is unsecured:</b>	\$ <u>0.00</u> (The sum of the secured and unsecured amounts should match the amount in line 7.)										
<b>Amount necessary to cure any default as of the date of the petition:</b>	\$ <u>119916.82</u>										
<b>Annual Interest Rate</b> (when case was filed)	<u>0.00</u> % <input checked="" type="checkbox"/> Fixed <input type="checkbox"/> Variable										
<b>10. Is this claim based on a lease?</b>	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Amount necessary to cure any default as of the date of the petition. \$ _____										
<b>11. Is this claim subject to a right of setoff?</b>	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Identify the property: _____										

<b>12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?</b>	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. <i>Check all that apply:</i>	<p>A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.</p> <p><input type="checkbox"/> Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B). \$ _____</p> <p><input type="checkbox"/> Up to \$3,025* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7). \$ _____</p> <p><input type="checkbox"/> Wages, salaries, or commissions (up to \$13,650*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4). \$ _____</p> <p><input type="checkbox"/> Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8). \$ _____</p> <p><input type="checkbox"/> Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5). \$ _____</p> <p><input type="checkbox"/> Other. Specify subsection of 11 U.S.C. § 507(a)( ) that applies \$ _____</p>	<b>Amount entitled to priority</b>
---	--	---	------------------------------------

\* Amounts are subject to adjustment on 4/01/22 and every 3 years after that for cases begun on or after the date of adjustment.

**Part 3: Sign Below**

<p><b>The person completing this proof of claim must sign and date it. FRBP 9011(b).</b></p> <p>If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.</p> <p><b>A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157 and 3571.</b></p>	<p>Check the appropriate box:</p> <p><input type="checkbox"/> I am the creditor.</p> <p><input checked="" type="checkbox"/> I am the creditor's attorney or authorized agent.</p> <p><input type="checkbox"/> I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.</p> <p><input type="checkbox"/> I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.</p> <p>I understand that an authorized signature on this Proof of Claim serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.</p> <p>I have examined the information in this Proof of Claim and have a reasonable belief that the information is true and correct.</p> <p>I declare under penalty of perjury that the foregoing is true and correct.</p> <p>Executed on date <u>2/3/2020</u></p> <p style="text-align: center;">MM / DD / YYYY</p> <p><u>/s/ Erica Cato</u></p> <p>Signature</p> <p>Print the name of the person who is completing and signing this claim:</p> <table style="width: 100%;"> <tr> <td style="width: 50%;">Name</td> <td colspan="3">Erica Cato</td> </tr> <tr> <td></td> <td style="width: 20%;">First name</td> <td style="width: 20%;">Middle name</td> <td style="width: 20%;">Last name</td> </tr> <tr> <td>Title</td> <td colspan="3">Litigation Specialist</td> </tr> <tr> <td>Company</td> <td colspan="3">Sortis Financial, Inc</td> </tr> <tr> <td rowspan="4">Address</td> <td colspan="3">Identify the corporate servicer as the company if the authorized agent is a servicer</td> </tr> <tr> <td colspan="3">5445 Legacy Drive, Suite 410</td> </tr> <tr> <td colspan="3">Number Street</td> </tr> <tr> <td colspan="3">Plano, TX 75024</td> </tr> <tr> <td rowspan="2">Contact phone</td> <td colspan="2">City State ZIP Code</td> <td rowspan="2">Email</td> </tr> <tr> <td colspan="2">972 715 1092</td> </tr> <tr> <td></td> <td colspan="2"></td> <td>erica.cato@sortisfinancial.com</td> </tr> </table>	Name	Erica Cato				First name	Middle name	Last name	Title	Litigation Specialist			Company	Sortis Financial, Inc			Address	Identify the corporate servicer as the company if the authorized agent is a servicer			5445 Legacy Drive, Suite 410			Number Street			Plano, TX 75024			Contact phone	City State ZIP Code		Email	972 715 1092					erica.cato@sortisfinancial.com
Name	Erica Cato																																							
	First name	Middle name	Last name																																					
Title	Litigation Specialist																																							
Company	Sortis Financial, Inc																																							
Address	Identify the corporate servicer as the company if the authorized agent is a servicer																																							
	5445 Legacy Drive, Suite 410																																							
	Number Street																																							
	Plano, TX 75024																																							
Contact phone	City State ZIP Code		Email																																					
	972 715 1092																																							
			erica.cato@sortisfinancial.com																																					

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
In re: Loyce Tamisi

Case No. 1-20-40388-cec  
Chapter 13


Debtor(s)  
-----X

**CERTIFICATE OF SERVICE**

The undersigned certifies that on 03/12/2020, a copy of the annexed Motion was served by depositing same, enclosed in a properly addressed postage-paid envelope, in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York, upon *[below specify the name and mailing address of each party served]:*

- Trustee Michael J. Macco 2950 Express Drive South Suite 109 Islandia, NY 11749
- Office of the United States Trustee Eastern District of NY (Brooklyn Office) U.S. Federal Office Building 201 Varick St, Suite 1006 New York, NY 10014
- Ericia Cato SRP 2012-4, LLC c/o Sortis Financial, Inc 5445 Legacy Drive, Suite 410 Plano, TX 75021

Dated: March 12, 2020

  
\_\_\_\_\_  
Signature  
Loyce Tamisi